

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24198 of 2021

Arising Out of PS. Case No.-549 Year-2019 Thana- NARPATGANJ District- Araria

1. Gayanand Yadav Son Of Late Bhuduki Yadav Resident Of Village- Khaira Gadia, Police Station- Narpatganj, District-Araria
2. Ajay Yadav @ Ajay Kumar Yadav Son Of Gayanand Yadav Resident Of Village- Khaira Gadia, Police Station- Narpatganj, District-Araria
3. Bhogi Lal Yadav Son Of Ayodhi Yadav Resident Of Village- Khaira Gadia, Police Station- Narpatganj, District-Araria
4. Arjun Yadav Son Of Ramkishun Yadav Resident Of Village- Babuan, Police Station- Ghurna, District- Araria
5. Ramkishun Yadav Son Of Late Bechan Yadav Resident Of Village- Babuan, Police Station- Ghurna, District- Araria
6. Babunand Yadav Son Of Late Bechan Yadav Resident Of Village- Babuan, Police Station- Ghurna, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana- Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta- A.P.P.
For the Informant	:	Mr. Awadhesh Kumar Pandey- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2021 Heard the learned Advocate for the petitioners,

learned counsel for the informant and the learned APP for the

State.

The petitioners seek bail in connection with

Narpatganj P. S. Case No.549 of 2019, instituted for the

offences under Sections 147, 148, 149, 341, 323, 324, 325, 307,

354B, 379, 504 of the Indian Penal Code and later on Section

302 of the I.P.C. was also added.



From bare perusal of the F.I.R., it would manifest that informant has alleged that petitioners along with others assaulted his younger brother, indiscriminately and he succumbed to injury.

Learned counsel for the petitioners has drawn the attention of this Court towards the F.I.R. stating that though specific allegation has been levelled against petitioners/ accused Arjun Yadav, Ram Kishun Yadav, Babuchand Yadav, Janardan Yadav. They had assaulted the younger brother of the informant but only one injury was found on his head. It is further submitted that the occurrence has taken place due to land dispute and therefore, several persons, who were interested in the dispute, have been made accused, even though, no specific allegation of assault has been attributed against them.

Learned counsel for the petitioners submits that the petitioners are in custody since 06.01.2021 and they are persons with clean antecedents. Charge-sheet has been submitted against them.

Learned counsel for the informant as well as learned counsel for the State vehemently opposed the bail prayer, on which learned counsel for the petitioners submits that co-accused Janardan Yadav has been granted bail by a Bench of



this Court vide order dated 09.08.2021 passed in Cr. Misc. No.9120 of 2021, who has also assaulted the younger brother of the informant. But as far as the present petitioners are concerned, they have not attributed with allegation of assault. On this, learned counsel for the informant fairly submits that the case of these petitioners stand on similar footing with petitioner nos.4, 5 and 6 herein. For rest of the petitioners, it is submitted that there is no allegation of assault against them.

Considering the facts afore-stated, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P. S. Case No.549 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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